

REMARKS

The office action dated December 15, 2005 (the “Office Action”) has been received and carefully noted. Claims 1-12 were examined. Claims 1-5 and 12 were rejected. Claims 6-11 were objected to. Claims 1-12 are amended to correct minor grammatical and stylistic errors. Support for claim 12 can be found in, for example, on pages 16-17, lines 26-30 and lines 1-23. As such, no new matter has been added. Claims 1-13 remain in the Application.

Claims 1 was objected to for informalities with respect to the element “second retaining means.” According to the Examiner, “second retaining means” first appear in line 13 of claim 1 and is not preceded within the claim. Applicant respectfully brings to the Examiner’s attention that “second retaining means” first appears in line 9 of claim 1. As such, “second retaining means” in line 13 is preceded in line 9 of claim and is therefore in proper format.

Claims 6-11 were objected to under 37 C.F.R. 1.75(c) as being in improper form due to claim 6 being a multiple dependent claim on multiple dependent claim 5. Appropriate correction to claims 5 and 6 has been made. Accordingly, claims 7-11 are now in proper form.

I. Claims Rejected Under 35 U.S.C. § 102

Claims 1-5 and 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,868,433 to Matkovich (“*Matkovich*”). A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. MPEP § 2131. Applicants respectfully submit that each and every element, either expressly or inherently, in amended claims 1 and 12 and their respective dependent claims is not set forth in the cited references.

Independent claim 1 includes the limitation of “wherein at least one of the connection elements comprises means capable of making it breakable.” (App., claim 1)

Independent claim 12 includes the limitation of “a means adapted to break and situated on at least one of the connection elements.” (App., claim 12) According to the Application, the “means” can be, for example, a continuous notch 426 around the entire periphery of a connection element 20, 120, 420. (p. 7, Ins. 21-22; p.16, Ins. 29-30; FIG. 9) By contrast, *Matkovich* describes a connector assembly which maintains the sterility of a fluid which passes through the connector assembly. (Abstract) The connector assembly includes a female connector 100 and a male connector 200, but does not include a means capable of making [at least one of the connectors] breakable. Accordingly, Applicants respectfully submit that independent claim 1 and its respective dependent claims and independent claim 12 are patentably allowable in view of *Matkovich*.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 1-12, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800x766.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment; Commissioner of Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450:

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